

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

MARIA O NARANJO,

Plaintiff,

VS.

UNIVERSAL SURETY OF AMERICA, *et al*,

Defendants.

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CIVIL ACTION NO. C-09-240

**ORDER**

For the reasons set forth below, this Court hereby DISMISSES the above-styled action for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b).


Plaintiff filed her complaint with the Court on September 14, 2009. (D.E. 1.) The Court scheduled an Initial Pretrial Conference (“IPTC”) for November 10, 2009. (D.E. 2.) Counsel for Plaintiff failed to appear at the November 10, 2009 IPTC, in violation of this Court’s Order for Conference and Disclosure of Interested Parties. (D.E. 2 ¶ 1.) Counsel failed to file a motion for a continuance or to otherwise inform the Court of his inability to attend the IPTC. Plaintiff has also failed to effect service of process upon any Defendant to this action.

“A district court sua sponte may dismiss an action for failure to prosecute or to comply with any court order.” Larson v. Scott, 157 F.3d 1030, 1031 (5th Cir. 1998); see also Anthony v. Marion County Gen. Hosp., 617 F.2d 1164, 1167 (5th Cir. 1980) (“Rule 41(b) provides that a case may be dismissed for failure to prosecute ... [a district court may] sua sponte dismiss an action whenever necessary to achieve the orderly and expeditious disposition of cases.”) (internal citations omitted); see also Fed. R. Civ. P.

41(b) (“If the plaintiff fails to prosecute or comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it.”).

For the reasons set forth above, the Court hereby DISMISSES Plaintiff’s Complaint in its entirety, for failure to prosecute.

SIGNED and ORDERED this 10th day of November, 2009.

  
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Janis Graham Jack  
United States District Judge